

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

Timothy R. Davis,

Plaintiff,

v.

Commissioner Social Security
Administration,

Defendant

No. 04-6260-AS

ORDER ADOPTING
MAGISTRATE'S FINDINGS

MOSMAN, J.,

On June 13, 2005, Magistrate Judge Ashmanskas issued Findings and Recommendation (#11) in the above-captioned case affirming the decision of the Commissioner and denying plaintiff's application for social security disability insurance benefits. Plaintiff filed objections on June 28, 2005, and the Commissioner filed a response to these objections on July 6, 2005.

Accordingly, after de novo review pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b), the court agrees that substantial evidence in the record supports the ALJ's conclusion denying benefits. The Commissioner's decision is, therefore, affirmed and the court, ADOPTS the recommendation that a judgment be entered in favor of the Commissioner.

IT IS SO ORDERED.

DATED: Portland, Oregon, September 29, 2005.

/s/ Michael W. Mosman
MICHAEL W. MOSMAN
United States District Judge